

MICHAEL A. FEDERICO, ESQ.
Nevada Bar No. 005946
OLSON, CANNON, GORMLEY
ANGULO & STOBERSKI
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
Telephone: (702) 384-4012
Facsimile: (702) 383-0701
mfederico@ocgas.com

Attorney for Defendant
COSTCO WHOLESALE CORPORATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * *

TERESA L. ROGGIO, an Individual;)	CASE NO.: 2:19-cv-1461
)	
Plaintiff,)	
)	
vs.)	
)	
COSTCO WHOLESALE CORPORATION, a)	
Foreign Crporation, d/b/a COSTCO #737; DOES)	
I through X, inclusive; and ROE BUSINESS)	
ENTITIES XI through XX, inclusive,)	
)	
Defendants.)	

PETITION FOR REMOVAL OF CIVIL ACTION

TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA:

Petitioner COSTCO WHOLESALE CORPORATION (hereinafter "Petitioner"), a
Washington Corporation respectfully shows:

1. Petitioner is the Defendant in the above-entitled action;
2. On July 26, 2019, an action was commenced against Defendant/Petitioner
COSTCO WHOLESALE CORPORATION and is now pending in the District Court, Clark County,
Nevada as Case No. A-19-799180-C. Process of Service was served upon Defendant/Petitioner on
August 12, 2019. Copies of the Complaint and Summons are attached hereto as Exhibits "A" and
"B" respectively;

Low Offices of
OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI
A Professional Corporation
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 384-4012 Telecopier (702) 383-0701

3. This Notice is timely filed pursuant to 28 U.S.C. §1446(a) and (b);

4. Defendant/Petitioner is informed and believes and thereon alleges that there has been no further proceedings or papers filed in said action;

5. This action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C.A. §1332 and is one which may be removed to this Court by Defendant/Petitioner pursuant to the provisions of 28 U.S.C.A. §1441(a)(b) in that it is a civil action which allegedly arises out of a dispute involving diverse parties where the amount in controversy exceeds the sum or value of \$75,000.00 due to the Plaintiff undergoing ongoing medical care from a July 30, 2017 slip and fall resulting in being transported by ambulance to a hospital, along with likely undergoing significant other medical care. The alleged injuries claimed by Plaintiff include leg and spinal injuries. Plaintiff has claimed in excess of \$15,000.00 in damages in the Complaint since this is the state court jurisdictional threshold. This Plaintiff likely has past medical bills alone in excess of \$15,000.00, plus a claim of pain and suffering and a possible wage loss. All of this resulted after the subject accident and this Court has original jurisdiction over the claims set forth in Plaintiff's Complaint.

6. A copy of Defendant/Petitioner's Notice of Removal of the above-entitled action to the United States District Court for the District of Nevada, together with copies of the Summons and Complaint have been deposited with the Deputy Clerk in the Clerk's office for the Eighth Judicial District Court of the State of Nevada on August 22, 2019. (See, copy of Notice of Filing Notice of Removal attached hereto as Exhibit "C");

7. Copies of all pleadings and papers served upon Defendant in the above-entitled action are filed herewith; and

8. This Petition is filed with the Court within thirty (30) days after receipt by Defendant/Petitioner herein of the Complaint in the above-entitled action.

///

///

///

///

1 WHEREFORE, Defendant/Petitioner prays that the above-entitled action be removed from
2 the Eighth Judicial District Court of the State of Nevada in and for the County of Clark to this Court.

3 DATED this 27 day of August, 2019.

4 OLSON, CANNON, GORMLEY
5 ANGULO & STOBERSKI

6 

7 MICHAEL A. FEDERICO, ESQ.
8 Nevada Bar No. 005946
9 9950 West Cheyenne Avenue
10 Las Vegas, Nevada 89129
11 Attorneys for Defendant
12 COSTCO WHOLESALE CORPORATION
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Law Offices of
OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI
A Professional Corporation
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 384-4012 Telecopier (702) 383-0701

AFFIDAVIT OF MICHAEL A. FEDERICO, ESQ.

STATE OF NEVADA)
COUNTY OF CLARK) ss:

MICHAEL A. FEDERICO, ESQ., being first duly sworn deposes and says:

1. That your affiant is an attorney duly licensed to practice law in the State of Nevada and in the United States District Court, District of Nevada, and that he is a member of the law firm of OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI, maintaining offices at 9950 West Cheyenne Avenue, Las Vegas, Nevada 89129;

2. That your affiant is the attorney for Defendant COSTCO WHOLESALE CORPORATION and makes this affidavit on behalf of the Defendant herein and that affiant has prepared and read the foregoing notice and knows the matters set forth and contained therein to be true and correct to the best of affiant's knowledge and belief;

3. Your affiant further states that on August 22, 2019, he caused to be filed with the Clerk of the Eighth Judicial District Court, a copy of Defendant's Petition for Removal of Civil Action of the above-entitled action to the United States District Court for the District of Nevada at Las Vegas, together with all exhibits, by depositing such copies with the Deputy Clerk in the Clerk's office for the Eighth Judicial District Court of the State of Nevada at the office of the County Clerk, Clark County Courthouse, Las Vegas, Nevada 89101; and

4. That your affiant caused to be served a Notice of Removal on Peter S. Christiansen, Esq., R. Todd Terry, Esq. and Kelly A. Perdue, Esq. of Christiansen Law Offices 810 S. Casino Center Blvd., Ste. 104, Las Vegas, NV 89101, attorney of record for the Plaintiff in the above-entitled action by depositing the same in the United States mail on August 22, 2019.


MICHAEL A. FEDERICO, ESQ.

Subscribed and sworn before me
this 22nd day of AUGUST, 2019.


NOTARY PUBLIC in and for said
County and State



CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Olson, Cannon, Gormley, Angulo & Stoberski, and that on the 2nd day of August, 2019, I caused to be served a true and correct copy of foregoing **PETITION FOR REMOVAL OF CIVIL ACTION** through the CM/ECF system of the United States District Court for the District of Nevada (or, if necessary, by U.S. Mail, first class, postage pre-paid), upon the following:

Peter S. Christiansen, Esq.
 R. Todd Terry, Esq.
 Kelly A. Perdue, Esq.
 Christiansen Law Offices
 810 S. Casino Center Blvd., Ste. 104
 Las Vegas, NV 89101
 (702) 240-7979
 F: (702) 866-412-6992
pete@christiansenlaw.com
tterry@christiansenlaw.com
keely@christiansenlaw.com


 An Employee of Olson, Cannon, Gormley
 Angulo & Stoberski